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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/658,889	09/10/2003	Hirokazu Suzu	04995/118001	3207
22511	7590	02/04/2009		
OSHA LIANG L.L.P. TWO HOUSTON CENTER 909 FANNIN, SUITE 3500 HOUSTON, TX 77010			EXAMINER SCHNURR, JOHN R	
			ART UNIT 2421	PAPER NUMBER
			NOTIFICATION DATE 02/04/2009	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docketing@oshaliang.com  
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### Office Action Summary

**Application No.**

10/658,889

**Applicant(s)**

SUZU, HIROKAZU

**Examiner**

JOHN R. SCHNURR

**Art Unit**

2421

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 December 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 3-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 3-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SE-US)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This Office Action is in response to the Pre-Appeal Conference decision to reopen prosecution. Claims 3-10 are pending and have been examined.

#### *Response to Arguments*

2. Applicant's arguments with respect to claims 3-10 have been considered but are moot in view of the new ground(s) of rejection.

#### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over

**Hendricks et al. (US Patent 7,134,131)**, herein Hendricks, in view of **LaJoie et al. (US Patent 6,772,433)**, herein LaJoie.

Consider **claim 3**, Hendricks clearly teaches a television receiver comprising:

a display section; (**Fig. 3: column 5 lines 13-18**)

a receiving section adapted to receive television broadcasting signals corresponding to a plurality of channels, and operable to extract one of the television broadcasting signals corresponding to a selected one of the channels; (**Fig. 3: A receiver module, column 5 lines 32-39, receives broadcast programming from the national broadcaster 110, Fig. 1. The receiver module may include one or more receivers. A tuner 166, coupled to the receiver module, tunes to an appropriate channel to display a program provided by the national broadcaster.**)

a display control section (**Fig. 3: Processor controls operation of the components, column 5 lines 13-15**) operable to cause the display

section to display either an image of being broadcasted by the extracted one of the television broadcasting signals, **(Fig. 3: A display, column 5 lines 15-17, displays the programming provided by the national broadcaster.)** or a synthesized image in which an OSD image is superposed on the broadcasting image; **(Fig. 8 col. 17 lines 42-56)**

a watching reserving section operable to store watching reserving information designating a watching starting time and one of the channels; **(Fig. 3: A memory, column 5 lines 19-23, stores programming instructions and other information related to receiving and watching broadcast programs. An automatic tune command, column 33 lines 5-8, causes the tuner 166 to be tuned to the appropriate broadcast channel prior to the start time of the program. This is evidence that a watching reserving section stores watching reserving information that includes starting time and a channel)**

a watching reserving executing section operable to automatically cause the display control section to display the broadcasted image in the display section, in a case where the one of the channels designated by the watching reserving information is selected when the watching starting time designated by the watching reserving information is reached. **(Fig. 3: An automatic tune command, column 33 lines 5-8, causes the tuner 166 to be tuned to the appropriate broadcast channel prior to the start time of the program. A display, column 5 lines 15-17, displays the programming provided by the national broadcaster.)**

However, Hendricks does not explicitly teach displaying the reserved broadcasted image when the starting time is reached and a synthesized image is displayed in the display section.

In an analogous art, LaJoie, which discloses a system for receiving television programming, clearly teaches displaying a reserved broadcasted image when the starting time of a reserved program is reached and a synthesized image is displayed in the display section. **(Fig. 28 col. 31 lines 45-47; Fig. 30 col. 32 lines 21-27)**

Therefore, at the time the invention was made, it would have been obvious to one with ordinary skill in the art to modify the system of Hendricks by displaying a reserved broadcasted image when the starting time of a reserved program is reached and a synthesized image is displayed in the display section, as taught by LaJoie, for the benefit of displaying the requested content from the start of the program.

Consider **claim 4**, Hendricks clearly teaches a television receiver comprising:

a display section; (**Fig. 3: column 5 lines 13-18**)

a receiving section receive television broadcasting signal signals corresponding to a plurality of channels, and operable to extract one of the television broadcasting signals corresponding to a selected one of the channels; (**Fig. 3: A receiver module, column 5 lines 32-39, receives broadcast programming from the national broadcaster 110, Fig. 1. The receiver module may include one or more receivers. A tuner 166, coupled to the receiver module, tunes to an appropriate channel to display a program provided by the national broadcaster.**)

a display control section (**Fig. 3: Processor controls operation of the components, column 5 lines 13-15**) operable to cause the display section to display of either an image being broadcasted by the extracted one of the television broadcasting signals, (**Fig. 3: A display, column 5 lines 15-17, displays the programming provided by the national broadcaster.**)

a watching reserving section operable to store watching reserving information designating a watching starting time and one of the channels; (**Fig. 3: A memory, column 5 lines 19-23, stores programming instructions and other information related to receiving and watching broadcast programs. An automatic tune command, column 33 lines 5-8, causes the tuner 166 to be tuned to the appropriate broadcast channel prior to the start time of the program. This is evidence that a watching reserving section stores watching reserving information that includes starting time and a channel**)

However, Hendricks does not explicitly teach a watching reserving executing section operable to automatically cause the display control section to reduce the size of the OSD image, in a case where the one of the channels designated by the watching reserving information is selected when the watching starting time designated by the watching reserving information is reached, and the synthesized image is displayed in the display section.

In an analogous art, LaJoie, which discloses a system for receiving television programming, clearly teaches a watching reserving executing section operable to automatically cause the display control section to reduce the size of the OSD image, in a case where the one of the channels designated by the watching reserving information is selected when the watching starting time designated by the watching reserving information is reached, and the synthesized image is

displayed in the display section. **(Fig. 28 col. 31 lines 45-47; Fig. 30 col. 32 lines 21-27)**

Therefore, at the time the invention was made, it would have been obvious to one with ordinary skill in the art to modify the system of Hendricks by causing the display control section to reduce the size of the OSD image, in a case where the one of the channels designated by the watching reserving information is selected when the watching starting time designated by the watching reserving information is reached, and the synthesized image is displayed in the display section, as taught by LaJoie, for the benefit of displaying the requested content from the start of the program.

Consider **claim 5**, Hendricks combined with LaJoie clearly teaches the television receiver according to claim 3, further comprising a setting section operable to invalidate the automatic operation of the watching reserving executing section. **(After a subscriber has selected a program, column 34 lines 7-9, the system determines if a cancel program order has been received, column 34 lines 31-59. Receipt of said cancel program order causes the system to tune away from the de-authorized program. Hendricks)**

Consider **claim 6**, Hendricks combined with LaJoie clearly teaches the television receiver according to claim 4, further comprising a setting section function operable to invalidate the automatic operation of the watching reserving executing section. **(After a subscriber has selected a program, column 34 lines 7-9, the system determines if a cancel program order has been received, column 34 lines 31-59. Receipt of said cancel program order causes the system to tune away from the de-authorized program. Hendricks)**

Consider **claim 7**, Hendricks combined with LaJoie clearly teaches the television receiver according to claim 3, further comprising the OSD image includes an image based on electronic program guide information contained in the received television broadcasting signals. **(Fig. 8 Hendricks)**

Consider **claim 8**, Hendricks combined with LaJoie clearly teaches the television receiver according to claim 4, further comprising the OSD image includes an image based on electronic program guide information contained in the received television broadcasting signals. **(Fig. 8 Hendricks)**

Consider **claim 9**, Hendricks combined with LaJoie clearly teaches the television receiver according to claim 3, further comprising a case where one of the channels which is not designated by the watching reserving information is selected when the watching starting time designated by the watching reserving information is reached, the watching reserving executing section is operable to

cause the display control section to display a message to inform that the watching starting time has come in the display section in a superposed manner. **(Fig. 30 Banner 588 col. 32 lines 18-21 LaJoie)**

Consider **claim 10**, Hendricks combined with LaJoie clearly teaches the television receiver according to claim 4, further comprising a case where one of the channels which is not designated by the watching reserving information is selected when the watching starting time designated by the watching reserving information is reached, the watching reserving executing section is operable to cause the display control section to display a message to inform that the watching starting time has come in the display section in a superposed manner. **(Fig. 30 Banner 588 col. 32 lines 18-21 LaJoie)**

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHN R. SCHNURR whose telephone number is (571)270-1458. The examiner can normally be reached on Monday - Friday, 8:00am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John W. Miller/  
Supervisory Patent Examiner, Art Unit 2421

JRS